

Application Number 10/572,778
Response and Amendment
March 19, 2009

Response to Requirement for Restriction:

Applicants elect without traverse the invention defined by the Examiner as Group 1, claims 34, 36, 42, 45, 53, 54, and 60-62, drawn to compounds and formulations of formula Ia and the process for the preparation of a compound of formula Ia.

Applicants elect as a single compound, 2-Hydroxy-3-(5-{[4-(2-morpholin-4-ylethyl)piperazin-1-yl]sulfonyl}pyridin-2-yl)-1*H*-indole-6-carbonitrile hydrochloride, which is the second compound named in claim 42 as amended herein and is the compound of Example 58.

Applicants reserve the right to have process claims that depend from or otherwise require all the limitations of allowable product claims rejoined and examined.

Applicants further reserve the right to claim any subject matter not within the scope of the present claims in future continuation applications.

Remarks:

No new matter or any matter not supported by the application as filed is added by the requested amendments.

Applicants solicit further examination on the merits. Applicants believe the application is in condition for allowance, which action is respectfully requested.

The Commissioner is hereby authorized to charge any fees or credit any overpayment to deposit account No. 260166 referencing Attorney Docket No. 101192-1P US/NS.

Respectfully submitted,

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